

Remarks:

Prior to entry of this Amendment, claims 1, 3-27 and 30-44 remained pending in this application. Claims 1, 3-27 and 30-44 stand rejected under 35 U.S.C. § 112, first paragraph. Claims 1, 14, 23 and 37 stand rejected under 35 U.S.C. § 112, second paragraph. Additionally, the specification is objected to because it contains an embedded hyperlink and/or other form of browser-executable code. Finally, claims 1, 3-27 and 30-44 stand rejected variously under 35 U.S.C. § 102(e) and 35 U.S.C. § 103(a) based on Fan et al. (US Patent No. 6,310,692), LoBiondo et al. (US Patent No. 5,305,199), Yanagidaira (US Patent No. 6,490,052) and Silva et al. (U.S. Publication No. 2001/0034658).

By this Amendment, claim 1 and the specification are amended. In view of the above amendments and the following remarks, applicants request reconsideration of the rejected claims.

Rejections under 35 U.S.C. § 112

Claim 1, 3-27 and 30-44 stand rejected under 35 U.S.C. § 112, first and/or second paragraphs for failing to comply with the written description requirement and/or for being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as their invention. Claims 1, 14, 23 and 37 recite "instructions including a message that consolidates the need to order consumables for a select group of computer peripheral devices from among the plurality of computer peripheral devices when two or more from the select group have the need to replenish the consumable component." The Examiner alleges that the phrase "when two or more from the select group have the need to replenish the consumable component" does not comply with 35 U.S.C. § 112, first and/or second

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paragraphs. More particularly, the Examiner asserts that applicants teach "one or more" in the specification, but do not adequately describe "two or more" in the specification. Applicants respectfully disagree.

Applicants have nevertheless amended claim 1 to delete the phrase "when two or more from the select group have the need to replenish the consumable component." The rejections of claim 1 under 35 U.S.C. § 112 thus should be withdrawn. Claims 3-13 depend from claim 1, and the rejection of such claims under 35 U.S.C § 112 also should be withdrawn.

Independent claims 14, 23 and 37 also include the phrase "when two or more from the select group have the need to replenish the consumable component." Applicants assert, however, that the phrase is supported in the specification as originally filed for at least two reasons.

First, the phrase is supported, at least inherently, by portions of the specification that discusses the consolidation features of the disclosed systems and methods. For example, pages 15-16 of the specification states:

Optionally, the centralized server can deliver a "CONSOLIDATED PRINTER E-MAIL" to the PC. Furthermore, the centralized server can deliver a "TONER LOW E-MAIL" to the PC. Accordingly, the centralized server with the Peripheral Management System is operative to consolidate the maintenance status of each printer, consolidate the status of supplies for each printer, and deliver toner low messages to the maintainer via the PC.

"Consolidate," as defined by Webster's New Twentieth Century Dictionary of the English Language (Unabridged Second Edition), means to "unite (various units) into one mass or body." Thus, to "consolidate" there must be two or more units to consolidate into a single mass, such as consolidating the need to order consumables for a select group of computer peripheral devices from among the plurality of

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computer peripheral devices into a single message. Therefore, the phrase "when two or more from the select group have the need to replenish the consumable component" is supported by the portions of the specification that discusses the consolidation features of the disclosed systems and methods.

Second, the phrase is supported, at least inherently, by portions of the specification that refer to one or more of the printers. For example, page 15 of the specification states:

From the perspective of a maintainer, there are two possible ways to retrieve a consolidated maintenance status for one or more of the printers within an office network environment.

"Two or more printers" is merely a subset of "one or more printers." Thus, the phrase "when two or more from the select group have the need to replenish the consumable component" is supported by the portions of the specification that refer to the "or more" of the one or more.

For at least the above reasons, claims 14, 23 and 37 comply with 35 U.S.C. § 112, and the rejections under that section should be withdrawn. Claims 15-22, 24-27, 30-36 and 38-44 depend from claims 14, 23 and 37, and thus comply with 35 U.S.C § 112 for at least the same reasons as claim 14, 23 and 37.

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Objections to Specification

The specification is objected to because it contains an embedded hyperlink and/or other form of browser-executable code. Applicants have amended the specification to delete the embedded hyperlink and have replaced the URLs as recommended by the Examiner. Thus, applicants request withdrawal of the objections to the specification.

Rejections under 35 U.S.C. § 102

Claims 1, 3-4, 6-9, 11, 13, 37-40 and 44 are rejected under 35 U.S.C. § 102(e) as being anticipated by Fan et al. (U.S. Patent No. 6,310,692).

Fan et al. discloses a printer resource management system that monitors printer resources and delivers warning messages when a printer resource falls below a predetermined threshold. The system includes a graphical user interface window 500 with a text scroll box 505 (Fan et al., Figs. 5 and 9). Additionally, the system includes message windows 590 that messages 595 that the status of "a particular printer 250 has changed" (Fan et al., Figs. 6-8 and 10-12; col. 6, Ins. 12-16). The system also monitors printer resource levels, and upon determining a deficient printer resource level, generates and transmits a notification of the deficient printer resource level based on a notification profile. Such notification profile may specify delivery of the notification by email. Figs. 5-8 of Fan et al. are reproduced below for convenience of review.

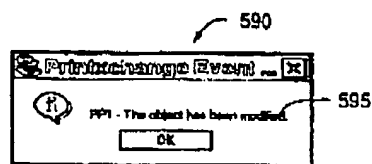


Fig. 6

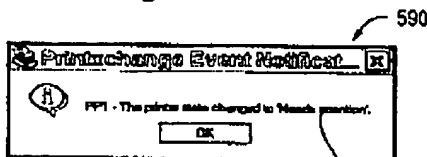


Fig. 7



Fig. 8

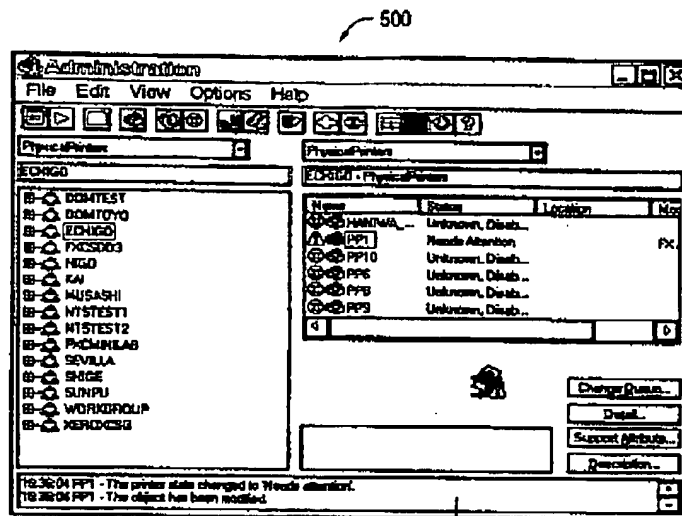


Fig. 5

Fan et al. does not, however, disclose or suggest a system that delivers an email consolidating the need to replenish consumable components for a select group of computer peripheral devices, as recited in amended claim 1. Instead, the Fan et al. system provides a notification message for a "particular printer" when that printer has a deficient printer resource level. There is no disclosure or suggestion of consolidating notifications, much less consolidating the need to replenish consumable components of two or more peripheral devices. Thus, Fan et al. fails to disclose or suggest applicants' system as recited in amended claim 1.

For at least the foregoing reasons, claim 1 is allowable and the rejection of claim 1 based on Fan et al. should be withdrawn. Claims 3-4, 6-9, 11 and 13 depend from claim 1, and thus are allowable for at least the same reasons as claim 1.

Similar to claim 1, independent claim 37 recites a method that includes a consumable re-order program configured to send a consumable re-order notification including a message that consolidates the need to order consumables for a select group of computer peripheral devices, when two or more of those devices from the select group have the need to replenish consumables. Claim 37 thus is allowable for at least the same reasons as claim 1, and the rejection of claim 37 based on Fan et al. should be withdrawn. Claims 38-40 and 44 depend from claim 37, and thus are allowable for at least the same reasons as claim 37.

Rejections under 35 U.S.C. § 103

Claims 5, 10, 12, 14-27, 30-36 and 41-43 are rejected under 35 U.S.C. § 103 as being obvious over Fan et al. (U.S. Patent No. 6,310,692) variously in view of LoBiondo et al. (U.S. Patent No. 5,305,199), Yanagidaira (U.S. Patent No. 6,490,052), and/or Silva et al. (U.S. Patent Application Publication No. 2001/0034658).

As discussed above, Fan et al. does not disclose or suggest a system that delivers an email consolidating the need to replenish consumable components for a select group of computer peripheral devices, as recited in amended claim 1. Instead, the Fan et al. system provides a notification message for a particular printer when that printer has a deficient printer resource level. There is no disclosure or suggestion of consolidating notifications, much less consolidating the need to order consumables for two or more peripheral devices. Thus, Fan et al. fails to disclose or suggest applicants' system and method as recited in independent claims 1, 14, 23 and 37. The remaining claims depend from claims 1, 14, 23 and 37, and thus incorporate the subject matter of those claims.

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LoBiondo et al. discloses a system for monitoring and ordering consumable supplies for a plurality of reprographic machines with the depicted structure below:

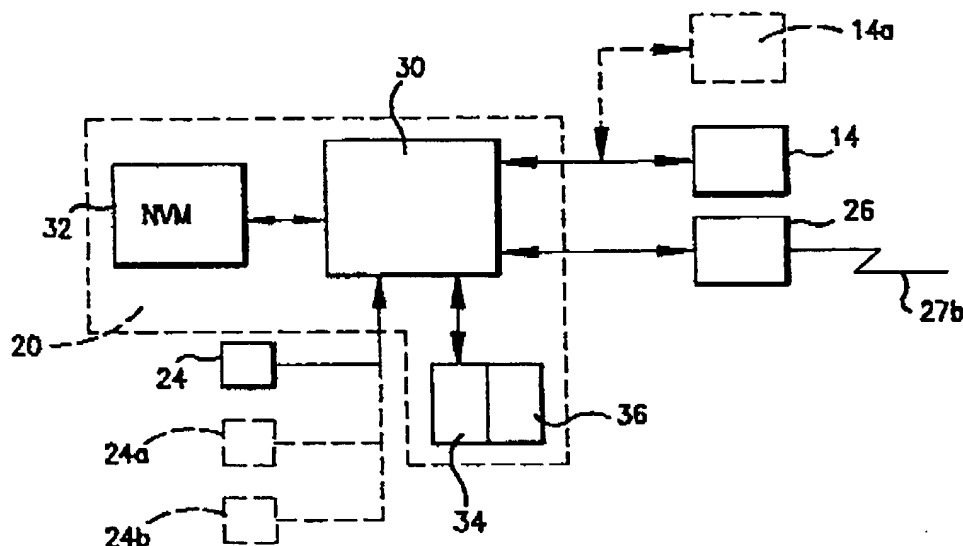


FIG.5

Counters 24, 24a and 24b in "each of the plurality of reprographic machines" provide usage data to microprocessor 30 (LoBiondo et al., col. 3, lns. 66-68). That data is accumulated in non-volatile memory 32 to provide actual usage data, which is subtracted from a total initial inventory of consumable supplies to show a total remaining inventory. The actual usage is used to calculate a curve S shown in Fig. 3 below. Curve S includes an actual usage portion and a projected usage portion. A reorder point is then calculated from the intersection of the projected usage portion and an ordering threshold. At that reorder point, the system shows a reorder message that can be sent to the operator or to the reorder location directly.

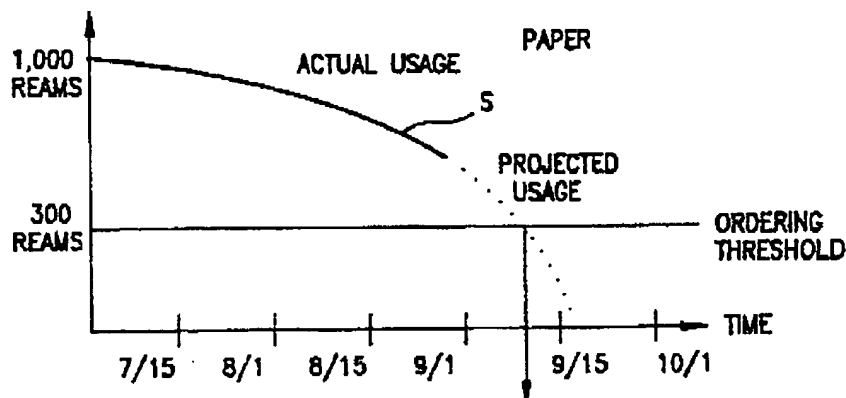
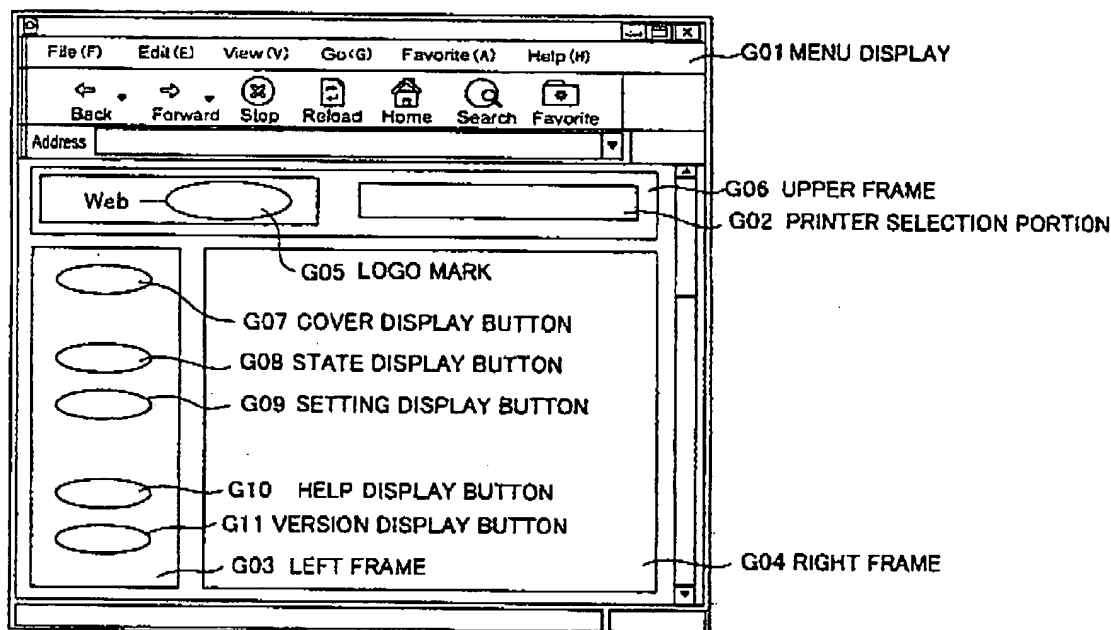


FIG. 3

LoBiondo et al. does not, however, disclose or suggest a system that delivers a notification consolidating the need to replenish consumable components for a select group of computer peripheral devices among a plurality of computer peripheral devices, as recited in the independent claims. Instead, the system sends a reorder message to an operator to replenish consumable components for all of the plurality of computer peripheral devices based on the projected usage of the total remaining inventory of those components. This is an entirely different approach to that proposed by Fan et al., which determines whether to provide a notification or deficient printer resource of a particular printer based on a resource level reaching a predetermined threshold. Thus, LoBiondo alone, or in combination with Fan et al., fails to disclose or suggest applicants' system and method as recited in the amended claims, or the claims that depend therefrom.

Yanagidaira discloses a printer controller that controls the shared printer of a network to which clients are connected. The printer controller includes a state-monitoring unit that obtains the operating state of a printer (usually paper-empty, paper-jam or power off). The operating states are displayed on a web browser that operates on a client display window of the printer controller, as depicted below:

Fig.8



Yanagidaira does not, however, disclose or suggest a system that delivers a notification consolidating the need to replenish consumable components for a select group of computer peripheral devices, as recited in the independent claims. Instead, the Yanagidaira system provides a web browser to display the operating states of all the shared printers. Thus, Yanagidaira alone, or in combination with Fan et al.

and/or LoBiondo et al., fails to disclose or suggest applicants' system as recited in the amended claims or the claims that depend therefrom.

Silva et al. discloses an executable shopping list that enables a user browsing an affiliate Web site's Web page to order a bundle of multiple items offered for sale. Silva et al. does not, however, disclose or suggest a system that identifies the need to replenish a consumable component for a plurality of computer peripheral devices, much less a system that delivers a notification consolidating the need to replenish consumable components for a select group of plurality of computer peripheral devices, as recited in the independent claims. Thus, Silva et al. alone, or in combination with Fan et al., LoBiondo et al, and/or Yanagidaira, fails to disclose or suggest applicants' system and method as recited in the amended claims, or the claims that depend therefrom.

For at least the foregoing reasons, the rejections of claims 5, 10, 12, 14-27, 30-36 and 41-43 should be withdrawn.

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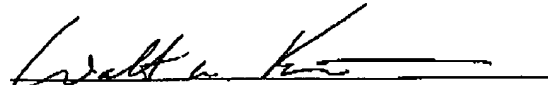
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Applicants believe that this application is now in condition for allowance, in view of the above amendments and remarks. Accordingly, applicants respectfully request that the Examiner issue a Notice of Allowability covering the pending claims. If the Examiner has any questions, or if a telephone interview would in any way advance prosecution of the application, please contact the undersigned attorney of record.

Respectfully submitted,

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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to Examiner B. Bruckart, Group Art Unit 2155, Assistant Commissioner for Patents, at facsimile number (703) 872-9306 on October 5, 2005.



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